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30. A device according to claim 29 wherein said semiconductor layer has at least one of an electron mobility greater than 15 cm²/Vsec and a hole mobility greater than 10 cm²/Vsec.

REMARKS

The Examiner's Action dated November 13, 1998 has been received and its contents carefully noted. In view thereof, amendments to the specification and claims have been set forth in proper format in accordance with 37 C.F.R. §1.21 and thus it is believed that the present application is now in proper formal condition for allowance. Claims 1-30 are presently pending in the instant application with claims 1 and 5 being amended and new claims 15-30 being added formally by the present Amendment.

Reviewing the Official Action, particularly page 2 thereof, the Examiner notes that Amendment A filed March 7, 1996 is considered informal because it is not in compliance with 37 C.F.R. §1.121(e) and 1.173 effective prior to December 1, 1997. Therein the Examiner notes that the text of the added new claims must be underlined.

As can be seen from the foregoing amendments, new claims 15-28 which were added by the Amendment filed March 7, 1996 are included hereinabove and properly underlined. Accordingly, it is respectfully submitted that claims 15-28 as set forth hereinabove are in proper formal condition and comply with 37 C.F.R. §1.21(e) and 1.173.

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As to Amendment B filed December 15, 1997, as can be seen from the foregoing amendments, the amendments made to the specification are now in compliance with 37 C.F.R. §1.121(b)(1) wherein the entire text of each paragraph as amended is set forth with the appropriate location of such paragraph being noted. Additionally, amendments to claims 1 and 5 are now believed to in compliance with 37 C.F.R. §1.121(b)(2)(i)(A) and that all added and deleted text from the original patent claims is set forth in the amended version.

Additionally, with respect to Amendment C filed December 29, 1997, as can be seen from the foregoing amendments, new claims 29 and 30 which were added by the previous Amendment of December 29, 1997 are set forth in proper format and accordance with 37 C.F.R. §1.21(b)(2)(i)(C).

Accordingly, it is respectfully submitted that all Amendments made to the original patent are properly set forth hereinabove and consideration of such amendments is earnestly solicited.

As to the written Consent of Assignee, it is respectfully submitted that the original consent of Assignee filed February 7, 1996 properly sets forth the assignment as being recorded in the U.S. Patent and Trademark Office at Reel 5914, Frame 0449-0450. While the Examiner states that the correct Frame No. is 0448, it is respectfully submitted that Frame 0448 is merely the transmittal of the Assignment document which, in fact, is set forth

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in Frame Nos. 0449-0450. Accordingly, it is respectfully submitted that the consent of Assignee is proper under 37 C.F.R. §3.73(b). A copy of the originally recorded Assignment is enclosed herewith noting the recordation at Frame 0449 and 0450. Also included is a copy of the Assignment Transmittal recorded at Frame 0448. Accordingly, it is respectfully submitted that documentary evidence of a chain of title from the original owner to the Assignee by way of an executed Assignment submitted for recording as well as specifying the Reel and Frame number of the recorded Assignment complies with 37 C.F.R. §1.73(b). Should the Examiner believe a newly executed Consent of Assignee is necessary, such can be provided in due course.

As to page 3 of the Official Action, the Examiner states that the reissue Declaration fails to state that the person signing has reviewed and understand the contents of the specification, including the claims as amended by any Amendments specifically referred by in the Oath or Declaration as required by 37 C.F.R. §1.63(b)(2). The Examiner also states that the reissue Declaration fails to state that all errors being corrected up to the time of filing of the Declaration arose without any deceptive intention on the part of the Applicant as required by 37 C.F.R. §1.175(a)(2).

Enclosed herewith is a newly executed declaration which states that the Applicant has reviewed and understands the contents of the above-identified specification including the claims as originally filed and as amended by the filing of Amendments filed on March 6,

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1996, December 11, 1997, December 29, 1997 and February 16, 1999. Additionally, the Declaration specifically states that all errors being corrected up the filing of this Declaration arose without any deceptive intention on the part of the Applicant. Accordingly, it is respectfully submitted that the Declaration filed concurrently herewith properly complies with 37 C.F.R. §1.63(b)(2) and §1.175(a)(2).

Additionally, filed concurrently herewith is a request to transfer the drawings from the parent application to the present application as requested by the Examiner.

Therefore, in view of the foregoing, it is respectfully requested that the present application be considered in formal condition for allowance, that claims 1-30 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone council to arrange such a conference.

Respectfully submitted,


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